

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

HARTFORD FIRE INSURANCE COMPANY,

Plaintiff,

vs.

Cause No. 1:13-cv-00896-JCH-RHS

JUSTINA ROMERO, individually and as Personal Representative of the ESTATE OF KAYLA ALEXIS MARTINEZ; FRED SANCHEZ, individually and as Personal Representative of the ESTATE OF ALEANDRA SANCHEZ; REYES RUBIO; ANGEL GOMEZ, as Parent and next friend of BRIANNA SANCHEZ, a minor; FELICITA ESQUIBEL, as Parent and next friend of KAYLA ESQUIBEL, a minor; MARY HELEN LUCERO, as Parent and next friend of ALEXANDRIA DE LA O, a minor; and JOSEPH MARTINEZ,

Defendants.

**ORDER GRANTING STIPULATED MOTION FOR ORDER
DIRECTING DISTRIBUTION OF THE INTERPLED FUND**

THIS MATTER having come before the Court pursuant to the Plaintiff, Hartford Fire Insurance Company's, Stipulated Motion for Order Directing Distribution of the Interpled Fund [Doc. 45], and the Court having reviewed the Motion, and being fully advised in the premises, hereby finds:

This Court has jurisdiction over the parties and subject matter herein and shall exercise its jurisdiction over same.

Plaintiff's Complaint for Interpleader [Doc. 1] was filed in the United States District Court for the District of New Mexico on September 17, 2013.

Hartford tendered and deposited \$200,000 into the Federal Court Registry (comprised of the policy's \$100,000 per accident liability limits and \$100,000 per accident UM/UIM limits) on September 25, 2013, pursuant to the Court's Order Granting

Plaintiff's Motion to Deposit Funds into the Court's Registry filed September 24, 2013 [Doc. 7].

On May 16, 2014, this Court entered its Order Granting Default Judgment against Defendants Angel Gomez, as Parent and next friend of Brianna Sanchez, a minor, and Felicita Esquibel, as Parent and next friend of Kayla Esquibel, a minor [Doc. 42].

The remaining parties have reached a settlement agreement that constitutes an equitable distribution of the interpled funds, fully resolves all claims arising from the subject motor vehicle accident against Hartford's insureds, and effects dismissal with prejudice of the lawsuits filed in the Fourth Judicial District Court against Hartford's insureds (the underlying lawsuits).

The parties have agreed to the following distribution of the \$200,000.00 policy proceeds:

Pay \$33,000 (thirty three thousand dollars and zero cents) to Mary Helen Lucero,
as parent and next friend of Alexandria De La O, a minor;

Pay \$33,000 (thirty three thousand dollars and zero cents) to Joseph Martinez;

Pay \$33,000 (thirty three thousand dollars and zero cents) to Reyes Rubio;

Pay \$50,500 (fifty thousand five hundred dollars and zero cents) to Justina
Romero, as the personal representative of the Estate of Kayla Martinez;
and

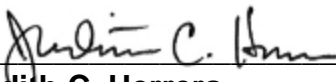
Pay \$50,500 (fifty thousand five hundred dollars and zero cents) to Fred
Sanchez, the personal representative of the Estate of Aleandra Sanchez.

In exchange for payment of the above-referenced sums, each of the claimants has agreed to execute full and final releases of all claims and to dismiss with prejudice all claims against Hartford's insureds asserted in the underlying lawsuits.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that

1. Based on the agreement described above, this Court orders the Clerk of the Court to distribute the funds as outlined above.

2. Upon confirmation that the funds have been properly distributed, Plaintiff will submit a motion and proposed order to the Court seeking dismissal of this matter with prejudice.



Judith C. Herrera
United States District Court Judge

Respectfully submitted,

RILEY, SHANE & KELLER P.A.

By: /s/ original signed by Courtenay L. Keller

COURTENAY L. KELLER

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